IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 6688 OF 2006

Ramdas Gahininath Kokate & Anr..... .....
Petitioners
V/s
Patane Nagnath Ananda & Anr..... .....
Respondents.

Office Notes, Office Memoranda of Coram, appearances Court's orders or directions and Registrar's orders.) Court's or Judge's Orders

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Mr.I.M.Khairdi, Adv. for the petitioners.

Mr.S.K.Chincholikar, AGP for R.No.2.

CORAM: A.P. DESHPANDE, J.
15.3.2007

PC:

By the present petition the school management is challenging an order dated 3.8.2006 passed by the School Tribunal holding that the application filled by respondent for execution of the judgment and order passed by Tribunal dated 25.3.2006 is maintainable.

The respondent had filed an appeal challenging the order of termination. Respondent succeeded in

appeal and the Tribunal directed reinstatement of the respondent with continuity in service with full back wages together with all ancillary and incidental benefits flowing therefrom. As the petitioner did not pay back wages as awarded an application came to be filed by the respondent seeking execution of the order. In the application as originally filed the respondent had prayed for order of conviction and fine against the petitioner. During pendency of the application, the said relief is given up and what is claimed is only the execution of money part of order. The Tribunal held that it possesses power to execute the order by virtue of section 13 of the Act.

Perused the order. The order does not suffer from any patent illegality or impropriety. Thus no interference is called for in writ jurisdiction. Writ petition is summarily dismissed.

15.3.07.